

WORKMAN NYDEGER & SEELEY

ATTORNEYS AT LAW
A PROFESSIONAL CORPORATION

1000 EAGLE GATE TOWER
60 EAST SOUTH TEMPLE
SALT LAKE CITY, UTAH 84111
TELEPHONE (801) 533-9800
FACSIMILE (801) 328-1707

RICK D. NYDEGGER
DAVID O. SEELEY
BRENT P. LORIMER
THOMAS R. VUKSINICK
LARRY R. LAYCOCK
JONATHAN W. RICHARDS
DAVID R. WRIGHT
JOHN C. STRINGHAM
BRADLEY K. DESANDRO
JOHN M. GUYNN
CHARLES L. ROBERTS
GREGORY M. TAYLOR
DANA L. TANGREN
KEVIN B. LAURENCE
ERIC L. MASCHOFF
CHARLES J. VEVERKA
ROBYN L. PHILLIPS
RICHARD C. GILMORE†
DAVID B. DELLENBACH

KEVIN K. JOHANSON
L. DAVID GRIFFIN
R. BURNS ISRAELSEN
DAVID R. TODD
FRASER D. ROY
CARL T. REED
JESÚS JUANÓS I TIMONEDA, Ph.D.
R. PARRISH FREEMAN, Jr.
PETER F. MALEN, Jr.
ADRIAN J. LEE
KYLE H. FLINDT
DAVID B. TINGEY
L. REX SEARS

†ADMITTED ONLY IN CALIFORNIA

H. ROSS WORKMAN
OF COUNSEL

PATENT APPLICATION
Docket No. 13914.579.2

PATENT
TRADEMARK
COPYRIGHT
TRADE SECRETS
UNFAIR COMPETITION
LICENSING
COMPLEX LITIGATION

MAILING ADDRESS:
P.O. BOX 45862
SALT LAKE CITY, UT 84145

INTERNET

HOME PAGE: <http://www.wnspat.com>
GENERAL E-MAIL: info@wnspat.com



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Watterson et al.

Serial No.:

09/641,600

Filed:

August 18, 2000

For:

COMPUTER SYSTEMS AND METHODS
FOR INTERACTION WITH EXERCISE
DEVICE

} Art Unit
} 3764

BOX: MISSING PARTS
Assistant Commissioner for Patents
Washington, DC 20231

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Sir:

In response to the Notice to File Missing Parts of Application mailed October 6, 2000, please find enclosed herewith the following items for filing in the United States Patent and Trademark Office in connection with the above-identified patent application:

- ☒ A joint signature Declaration, Power of Attorney and Petition executed by Scott R. Watterson, William T. Dalebout and Darren C. Ashby and comprising 3 (three) pages.
- ☒ An Assignment conveying the invention to Icon Health and Fitness, Inc., including a Form PTO-1595 recordation cover sheet comprising 6 (six) pages.
- ☒ A copy of the Notice to File Missing Parts of Application - Filing Date Granted.
- ☒ Priority to United States Patent Application Serial Nos. 09/349,608 filed on July 8, 1999 and 09/496,560 filed February 2, 2000 is claimed under 35 U.S.C. § 120.

☐ Priority to U.S. Application Ser. (country) Application Serial No. 09/641,600 filed on August 18, 2000 is claimed under 35 U.S.C. § 119.

☐ A certified copy of the above priority application is filed in prior application Serial No. 09/641,600, filed August 18, 2000.

The filing fee has been calculated as shown below.

			SMALL ENTITY		LARGE ENTITY	
FOR	NO. FILED	NO. EXTRA	RATE(x)	FEE	RATE(x)	FEE
BASIC FEE				\$345.00		\$710.00
TOT. CLAIMS	41 - 20	21	\$9.00	\$189.00	\$18.00	\$378.00
IND. CLAIMS	8 - 3	5	\$40.00	\$200.00	\$80.00	\$400.00
MULTIPLE DEPENDENT CLAIM		0	\$135.00	\$0.00	\$270.00	\$0.00
			TOTAL	\$ 0.00	TOTAL	\$1,488.00

- ☒ Check No. 118802 in the amount of \$1,658.00 is enclosed to cover.
- ☒ The \$1,488.00 government filing fee.
- ☒ The \$ 40.00 recordation fee of the enclosed assignment
- ☒ The \$ 130.00 surcharge fee pursuant to 37 C.F.R. § 1.16(e).
- ☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 23-3178.
- ☒ Any additional filing fees required under 37 C.F.R. § 1.16.
- ☒ Any patent application processing fees under 37 C.F.R. § 1.17.
- ☒ The Commissioner is hereby authorized to charge payment of the following fees during the pendency of this application or credit any overpayment to Deposit Account No. 23-3178.
- ☒ Any filing fees under 37 C.F.R. § 1.16 for presentation of extra claims.
- ☒ Any patent application processing fees under 37 C.F.R. § 1.17.
- ☐ The issue fee set forth in 37 C.F.R. § 1.18 at or before mailing of the Notice of Allowance, pursuant to 37 C.F.R. § 1.311(b).

- ☒ A Certificate of Express Mailing by use of Express Mail Label No. EL 661 549 225 US
- ☐ An Associate Power of Attorney.
- ☒ A duplicate copy of this letter.

Please address all future correspondence in connection with the above-identified patent application to the attention of the undersigned.

Dated this 6th day of December, 2000.

Respectfully submitted,



David B. Dellenbach
Attorney for Applicant
Registration No. 39,166



022913

PATENT TRADEMARK OFFICE

DBD:em

G:\DATA\WPDOCS3\EMM\DBD\LETTERS\TRX\13914-579-2 B08.doc



PATENT APPLICATION
Docket No. 13914.579.2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Watterson et al.

Serial No.:

09/641,600

Filed:

August 18, 2000

For:

COMPUTER SYSTEMS AND METHODS
FOR INTERACTION WITH EXERCISE
DEVICE

} Art Unit
} 3764

Express Mail Label No. EL 661 549 225 US

Date of Deposit: December 6th, 2000.

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

I hereby certify that the following documents are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated below in an envelope addressed to: BOX: MISSING PARTS, Assistant Commissioner for Patents, Washington, DC 20231:

- Declaration, Power of Attorney and Petition (3 pp.)
- An Assignment (6 pp.)
- A copy of the Notice to File Missing Parts of Application - Filing Date Granted
- Transmittal Letter (3 pages)
- Check No. 118802 for \$1,658.00
- Certificate of Express Mailing Label No. EL 661 549 225 US
- Postcard

Dated this 6th day of December, 2000.

Respectfully submitted,

Randy Nielson, Assistant to
David B. Dellenbach
Attorney for Applicant
Registration No. 39,166



022913

PATENT TRADEMARK OFFICE

DBD:em

G:\DATA\WPDOCS3\EMM\DBD\LETTERS\TRX\13914-579-2 B08.doc



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/641,600	08/18/2000	Scott R. Watterson	13914.579.2

022913
WORKMAN NYDEGGER & SEELEY
1000 EAGLE GATE TOWER
60 EAST SOUTH TEMPLE
SALT LAKE CITY, UT 84111



FORMALITIES LETTER



OC000000005457106

Date Mailed: 10/06/2000

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- o The statutory basic filing fee is missing.
Applicant must submit \$ 690 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- o Total additional claim fee(s) for this application is \$768.
 - \$378 for 21 total claims over 20.
 - \$390 for 5 independent claims over 3.
- o The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- o To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

12/12/2000 SDENB081 00000081 09641600

- o The balance due by applicant is \$ 1588.

01 FC:101	710.00 OP
02 FC:102	400.00 OP
03 FC:103	378.00 OP
04 FC:105	130.00 OP

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

THIS PAGE BLANK (USPTO)